

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RAVEN WOLF C. FELTON

JENNINGS II and

RAYMOND DOUGLAS

Plaintiffs,

V.

CITY OF UNIVERSITY CITY,
MISSOURI

Defendant.

Case No. 4:20-cv-00584-JAR

MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiffs Raven Wolf C. Felton Jennings II and Raymond Douglas respectfully move the Court for an entry of summary judgment. In particular, for the reasons explained in the accompanying memorandum of law in support, Plaintiffs request that the Court grant summary judgment as follows:

- A) The original obstruction ordinance, University City Code § 215.720, was facially unconstitutional because it violates the Due Process Clause;
- B) The obstruction ordinance in its original and amended forms is unconstitutional as applied because it violates the Due Process Clause;
- C) The original obstruction ordinance violated the First Amendment's Free Speech Clause;
- D) The ordinance in both its original and amended forms violates the First Amendment Free Speech Clause as applied to Plaintiffs;
- E) University City's Musician Non-Stationary Policy violates the First Amendment's Free Speech Clause;
- F) University City's Musician Non-Stationary Policy violates the Due Process Clause;

- G) University City's Permit Policy is an unconstitutional prior restraint that violates the First Amendment;
- H) University City is liable to Plaintiffs; and
- I) Other such relief as the Court deems just and proper under the circumstances.

DATED: July 20, 2021

Respectfully submitted,

s/ Lisa S. Hoppenjans

Lisa S. Hoppenjans, #63890 (MO)
Tobin Raju, #5638523 (NY)
First Amendment Clinic
Washington University in St. Louis
School of Law
One Brookings Drive
Campus Box 1120
St. Louis, MO 63130
Phone: (314) 935-8980
lhoppenjans@wustl.edu
tobinraju@wustl.edu

Anthony E. Rothert, #44827 (MO)
Jessie Steffan, #64861 (MO)
Kayla M. DeLoach #72424 (MO)
Molly Carney, #70570 (MO)
ACLU of Missouri Foundation
906 Olive Street, Suite 1130
St. Louis, Missouri 63101
Phone: (314) 669-3420
arothert@aclu-mo.org
jsteffan@aclu-mo.org
kdeloach@aclu-mo.org
mcarney@aclu-mo.org

Gillian R. Wilcox, #61278 (MO)
ACLU of Missouri Foundation
406 West 34th Street, Ste. 420
Kansas City, MO 64111
Phone: (314) 652-3114
gwilcox@aclu-mo.org

ATTORNEYS FOR PLAINTIFFS